

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JEANETTE C. MILLER,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,¹

Defendant.

Case No. 4:06CV01448 ERW (TCM)

ORDER


This matter is before the Court upon the Report and Recommendation of United States Magistrate Judge Thomas C. Mummert, III [doc. #16] pursuant to 29 U.S.C. § 636(b).

The Court notes that no objections were filed to the Report and Recommendation within the time period afforded by 28 U.S.C. § 636(b)(1). The Court has considered the Report and Recommendation and hereby sustains, adopts and incorporates herein the Magistrate's Report and Recommendation in its entirety. The Social Security Commissioner's decision is reversed and remanded.

Accordingly,

IT IS HEREBY ORDERED that the decision of the Commissioner is **REVERSED** and the case is remanded to the Commissioner for further proceedings.

Dated this 13th Day of December, 2007.


E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE

¹ This action was brought against JoAnne B. Barnhart. However, Mr. Astrue was sworn in as the Commissioner of Social Security on February 12, 2007, and is hereby substituted as defendant pursuant to Fed. R. Civ. P. 25(d)(1).